

JDL:UAD  
F.#2011R00370

**12M743**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

EDWARD BYAM,

Defendant.

TO BE FILED UNDER SEAL

AFFIDAVIT IN SUPPORT OF  
ARREST WARRANT

(18 U.S.C. §§ 1951(a),  
924(c)(1)(A)(ii), 2 and  
3551 et seq.)

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EASTERN DISTRICT OF NEW YORK, SS:

AYESHA WINSTON, being duly sworn, deposes and states that she is a Special Agent with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") duly appointed according to law and acting as such.

Upon information and belief, in or about and between October 2011 and February 2012, within the Eastern District of New York and elsewhere, the defendant EDWARD BYAM together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce and the movement of articles and commodities in commerce, by robbery of a Pay-O-Matic check cashing store, and to commit and threaten physical violence to a person in furtherance of the robbery.

(Title 18, United States Code, Section 1951(a) and 3551 et seq.)

Upon information and belief, in or about and between October 2011 and February 2012, within the Eastern District of New York, the defendant EDWARD BYAM, together with others, did knowingly and intentionally use and carry a firearm during and in relation to a crime of violence, to wit: a conspiracy to commit a robbery of a Pay-O-Matic check cashing store, and did knowingly and intentionally possess such firearm in furtherance of said crime of violence, which firearm was brandished.

(Title 18, United States Code, Sections 924(c) (1) (A) (ii), 2 and 3551 et seq.)

The source of your deponent's information and the grounds for her belief are as follows:<sup>1</sup>

1. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") for approximately seven years. I am responsible for conducting and assisting in investigations into the activities of individuals and criminal groups responsible for crimes related to unlawful possession and use of firearms, including armed robberies. These investigations are conducted both in an undercover and overt capacity. I have participated in investigations involving search warrants and arrest warrants. As a result of my training and experience, I am familiar with the techniques and methods of operation used by individuals involved in criminal activity to

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<sup>1</sup> Because the purpose of this Affidavit is to establish only probable cause to arrest, I have not set forth a description of all the facts and circumstances of which I am aware.

conceal their activities from detection by law enforcement authorities.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. Because the purpose of this affidavit is limited to demonstrating probable cause for the requested warrant, it does not set forth all of my knowledge about this matter. In addition, when I rely on statements made by others, such statements are set forth only in part and in substance unless otherwise indicated.

3. On February 14, 2012, Pay-O-Matic, a check cashing establishment located in Queens, New York, was robbed by three men. According to an employee of Pay-O-Matic, on the day of the robbery, three men dressed as New York City Police Department ("NYPD") officers approached the employee as she was arriving at work at approximately 8:00 a.m. They had exited a dark-colored SUV with a broken rear window, which was parked outside of the Pay-O-Matic. The men showed the employee a photograph of her house and escorted her into the store.

4. Once inside, one of the men brandished a firearm, and the three men proceeded to rob the establishment, removing approximately \$200,000 from an unlocked safe. They then left the store, entered the SUV and drove away.

5. The three men left behind the photograph of the employee's home. On the back of the photograph was printed

"Walgreens 11316 12/03/11." Based on the store number "11316," the NYPD determined that the photograph had been printed at a Walgreens located at 125-55 Farmers Boulevard in Queens, New York. Thereafter, Walgreens employees provided a receipt for the photograph, which showed that the photograph was printed for "Byam, E."

6. Following the robbery, the details of the robbery, including surveillance photographs of the robbers, were broadcast on local news outlets. The NYPD subsequently received a tip that the robbers appeared to be wearing high-end special effects masks.

7. Composite Effects, also known as "CFX," is a company that manufactures high-end special effects masks. Documents received from Composite Effects show that "Edward Byam" purchased three "Mac the Guy" masks on or about October 25, 2011 (invoice number 4389). "Mac the Guy" masks are Caucasian male masks that match the appearances of the robbers as captured on Pay-O-Matic surveillance cameras on the day of the robbery. In placing his order, BYAM gave the email address "newdaddy1@aol.com" as his email address.

8. On November 9, 2011, Composite Effects received an email from "newdaddy1@aol.com," in which BYAM wrote, "my name is edward byam invoice num 4389, i placed my order on oct. 25 n was wondering if my order will be honored on the schedule date in nov?????"

9. On November 30, 2011, Composite Effects received another email from "newdaddy1@aol.com," in which BYAM confirmed receipt of the masks and wrote, "im sending this message to say im extremly pleased by cfx work on the mask . . . the realism of the mask is unbelievable."

WHEREFORE your deponent respectfully requests that an arrest warrant issue for the defendant EDWARD BYAM, so that he may be dealt with according to law. I further request that the Court order that this application, including the affidavit and arrest warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation. Disclosure of this application and these orders would seriously jeopardize the ongoing investigation, as such a disclosure would give the targets of the investigation an opportunity to destroy evidence, harm or threaten victims or other witnesses, change patterns of behavior, notify confederates and flee from or evade prosecution.



Ayesha Winston  
Special Agent, ATF

Sworn to before me this  
~~7th~~ day of August 2012

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IES ORENSTEIN  
ISTRATE JUDGE  
OF NEW YORK